

To: Judge Crone,

I hope my letter finds you in high spirits and all is well. The reason for my letter to you is to explain a problem I'm having that my attorney neglected to notify this court about.

I have been denied my right to a speedy trial. On May 2, 2018 was indicted by a federal grand jury for 40 federal violations. About 11 months have passed from my arraignment date till now.

The sixth Amendment provides the right to a speedy trial to begin with in seventy days after appearance before a judicial officer. I have been deprived my sixth Amendment right to a speedy trial. The seventy day time limit is triggered when a defendant appears in court where the charges are pending. *U.S. v. Tinklenberg*, 563 U.S. 647, 651 (2011) (70-day time limit began running day defendant appeared before judicial officer). This delay has weakened my family ties and caused my family a financial hardship. This delay has resulted anxiety and concern for my family and I. See, *Strunk v. U.S.*, 412 U.S. 434, 440 (1973) (vacating sentence and dismissing indictment "only possible remedy" for defendant denied right to speed federal trial while serving state prison sentence); *U.S. v. Lynch*, 726 F.3d 346, 351-52 (2d cir 2013) (70-day time limit began running day after defendant arraigned after indictment).

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS

MAR 28 2019

BY
DEPUTY _____

See 18 U.S.C. §§ 3161-74. Although a purpose of the act is to protect a defendant's constitutional right to speedy indictment and trial, the court may find a violation of a defendant's Sixth Amendment right to speedy trial even when the act is not violated. See, e.g., *U.S. v. Worthy*, 772 F.3d 42, 46-50 (1st Cir 2014) (analyzing 6th Amendment challenge separately from act); *U.S. v. Jones*, 129 F.3d 718, 723-24 (2d Cir 1997) (same); *U.S. v. Monsteller*, 741 F.3d 503, 508 n.6 (4th Cir 2014) (acknowledging differences between 6th Amendment analysis and the act).

See, 18 U.S.C. § 3162(a)(2); see e.g., *U.S. v. Huete-Sandoval*, 668 F.3d 1, 6-7 (1st Cir. 2011) (dismissal of Indictment for violation of 70-day speedy trial act time limit).

Under the statutory safeguards against Post-Accusation Delay, it states: If a defendant is not brought to trial within the act's time limits and the defendant files a timely motion seeking relief, a court must dismiss.

Under Constitutional safeguards against post accusation Delay, See, *U.S. v. Young*, 657 F.3d 408, 414 (6th Cir 2011) (6th Amendment Speedy trial attached at first federal indictment); *U.S. v. Hills*, 618 F.3d 619, 629-30 (7th Cir 2010) (6th amendment speedy trial attached at indictment, which preceded arrest).

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In Vasquez v Hillery an indictment may be dismissed for presumed prejudice by racial discrimination. On 10-23-18 Tom Kelly who was my attorney at the time, Assistant DA Chris Tortorice, The special agent Kelly and two insurance investigation were present in the meeting room. Things got heated so Tom Kelly pulled me aside with Chris Tortorice and stated to me I told you before you don't wanna go to trial in this area the surrounding areas are prejudice against blacks, and I would have an all white jury, and would be convicted. Assistant DA Chris Tortorice came behind Tom Kelly and made a racial remark he stated, in this area he doesn't need evidence, that the jury not going to believe me they are going to believe him. The second time I met Tom Kelly he told me Chris Tortorice stated to him he hated me and was after me for other crimes he claims I got away with. Special Agent Kelly stated to me that the prosecutor Chris Tortorice doesn't like me because of crimes he felt like I got away with, and that I won't get a bond so I can't talk to witness, and Assistant prosecutor Chris Tortorice want to make it hard for me to defend my self. The statements that Chris Tortorice made to my Attorney Tom Kelly about hate towards me is almost the same he has made to the special agent Kelly expressing a strong dislike for me. The prosecutor corruption behavior and hatred towards me was made clear on 10-23-18 when he made that racial statement about the surrounding areas. This type of behavior shouldn't be allowed to be in the justice system. The grand jury has been misled. attorneys has been corrupted and are refusing to work on my behalf. attorney Mr Joel Vasquez stated to me on or about 3-18-19 that the prosecutor Chris Tortorice ask him to file a motion so he can

(Chris Tortorice Prosecutor) not have to waste time calling in the insurance companies agents to prove mail fraud, Mr Vazquez stated that he couldn't do that he could get in trouble I can say this proves that prosecutor Mr Tortorice is corrupt, vindictive and has a ongoing motive to deprive me of my rights. The prosecutor is conspiring to harm me but Mr Vazquez decided to not join in to conspire with the prosecutor and file the motion. I have brought this behavior to the court's attention and now I'm bringing it to the court a fourth time. I don't have a prejudice part in my body we are all one under God, No one has the right to discriminate against anyone. Everyone is entitled to fairness and justice. I have been holding back from speaking up about what I been told by attorney Tom Kelly even though The Eastern district prosecutor was about to corrupt the attorney Mr Kelly he warned me about the discrimination with the eastern district prosecutor and Judge crone. I was told by the attorney Kelly that prosecutor's use your court cause, you side with the prosecutors of the Eastern District against people of color most of the time and you let in evidence that other Judges wouldn't let in, there court cases. Also that you are a high end judge most of the time and that you are prejudice. I don't know if these statements are true but these are statements that are being made about you, Attorney Kelly told me this. Attorney Vazquez told me that you let in evidence for the prosecutors that shouldn't be allowed in, He will object but that won't stop you from allowing what the prosecutors want in. If what is being said is true respectfully stating you may need to instruct the attorneys to stop using you as scare tactics to frighten someone.

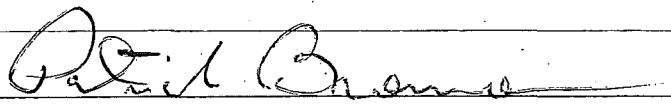
These statements that are being said about you are nothing new, almost all defendants that are in your court room are hearing the same statements from there court appointed attorneys and from paid attorneys again I respectfully state I don't know if these statements are true or not, How ever I pray they are not on 3-18-19 Mr Vazquez (Attorney) visit with me, he told me about the jury instruction that the prosecutor plan to give to the (Judge), you to use. The jury's instructions is malicious prosecution alone with all his other behavior just prove he has made this case personal, and plans to harm me.

Thank you for your consideration and for listening to my plea for relief from the injustice I'm recieving. Thanks again have a bless day.

Case NO. 1:18-CR-143

Fed NO. 27780078

Sincerely



Patrick Brown

Date: March-22-2019

Patrick Brennan No 27730078

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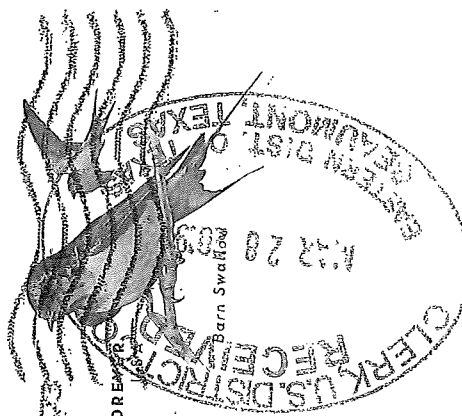
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25 MAR 2019 PM 7 FOREVER



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